

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**UNITED STATES OF AMERICA**

**V.**

**NO. 3:19-CR-11-14**

**ERIC ARMSTRONG**

**ORDER**

On January 13, 2021, this Court, on Eric Armstrong’s motion, issued an order continuing his sentencing hearing until further notice. Doc. #524 at 1. The order also granted Armstrong’s request to extend until January 15 the deadline for sentencing memoranda and extend until January 18 the deadline to file unresolved objections to the presentence report, should the parties *not* reach an agreement on an uncharged matter “that includes a recommendation related to the original plea in this case.”<sup>1</sup> *Id.* at 1–2.

On January 19, 2021, Armstrong filed a motion “to file unresolved objections and the Sentencing Memorandum out of time.” Doc. #535. As grounds, the motion represents that Armstrong and the government have reached a plea agreement on the uncharged matter and have also signed an addendum to the plea supplement in this case. *Id.* at 1. The motion further represents that the government does not object to the relief sought. *Id.* at 2.

Because the parties reached an agreement on the uncharged matter and signed an addendum to the plea supplement in this case, the extended deadlines in the January 13 order never went into effect. However, as noted earlier, the Court will consider any objections filed by Armstrong’s new counsel on his behalf. *See* Doc. #524 at 2 n.1. The same is true for any sentencing memorandum filed by Armstrong’s new counsel. Accordingly, the motion [535] is **GRANTED**. Any unresolved

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<sup>1</sup> The order further provided that “[i]f the parties reach an agreement on the uncharged matter that includes a recommendation related to the original plea in this case, Armstrong sentencing hearing will be reset once such proposed plea agreement is submitted to the Court for consideration.” Doc. #524 at 1–2.

objections to the presentence report<sup>2</sup> shall be filed on or before February 4, 2021; sentencing memoranda may be filed on or before February 11, 2021; the presentence report, in final form, including any unresolved objections, will be delivered to the Court and the parties on or before February 18, 2021; and the sentencing hearing will be reset for March 10, 2021.<sup>3</sup>

**SO ORDERED**, this 22nd day of January, 2021.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**

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<sup>2</sup> It seems Armstrong assumes the presentence report in this case will be updated to cover the uncharged matter. Because the uncharged matter has not been formally presented to the Court, that may not be the case.

<sup>3</sup> The Court acknowledges Armstrong's statement in the motion that he wants an in-person hearing. His sentencing hearing in this case will be reset as an in-person hearing but may be continued due to safety concerns associated with the current pandemic.